

RESOLUTION NO. 20-R-30

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, ACCEPTING THE APPRAISED VALUE OFFER OF THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) TO ACQUIRE A PARCEL OF LAND NEEDED FOR THE IH 35 NEX PROJECT, AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, TxDOT has begun a project to expand IH 35 between AT&T Parkway in San Antonio and FM 1103 in Schertz; and,

WHEREAS, the City owns a parcel of land located at 19085 IH 35 N on which Schertz Fire Station No. 2 is situated; and,

WHEREAS TxDOT needs to acquire a portion of that lot for the expansion project; and,

WHEREAS, City Council authorization is needed for the City to sell the property to TxDOT; and,

WHEREAS, the right of way acquisition consultant for TxDOT has sent offer letters, a formal appraisal and a deed for signature should the City choose to accept the offers.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The City Council hereby accepts the appraised value offer to purchase the parcel labeled as Parcel 124 and depicted in the attached Exhibit A in the amount of ONE THOUSAND SEVEN HUNDRED FIFTEEN DOLLARS AND NO CENTS (\$1,715.00) from TxDOT and authorizes the City Manager to execute and deliver all documents necessary to complete the transaction.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this 24th day of March, 2020.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary